

S.B.Civil Revision Petition No.411/2006

LRS. Of Mohammed Farooq
VS.
Abdul Gani and others.

Date : 12.9.2006

HON'BLE MR. PRAKASH TATIA, J.

Mr. JK Bhaiya, for the petitioners.

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Heard learned counsel for the petitioners.

The petitioners are aggrieved against the order dated 2.5.2006 by which the trial court rejected the application of the petitioners for dismissing the suit on the ground that some of the legal representatives have not been brought on record by the plaintiffs.

Learned counsel for the petitioner submits that the application was submitted when the case was fixed for final arguments.

I have considered the submissions of learned counsel for the petitioner and perused the facts of the case and the reasons given in the order impugned.

It appears from the order dated 2.5.2006 that the trial court clearly observed that on earlier occasion, the Court

already passed the order that there is no necessity of impleading the legal representatives of deceased Jahuran and Sugra.

The application was absolutely misconceived and has been filed without any occasion and for seeking an order contrary to the order passed on 23.5.2005. It appears that the petitioners submitted application to forestall the final hearing of the suit.

In view of the above, I do not find any error of fact or law in the impugned order.

Consequently, this revision petition, having no merit, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya